

ASSEMBLY BILL

No. 814

Introduced by Assembly Member Norby

February 17, 2011

An act to amend Section 45028 of the Education Code, relating to teachers.

LEGISLATIVE COUNSEL'S DIGEST

AB 814, as introduced, Norby. Teacher salaries.

Existing law requires that each teacher employed by a school district be classified on a uniform salary schedule based on years of training and years of experience, except if the employer and the exclusive bargaining representative agree otherwise, pursuant to a collective bargaining agreement.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 45028 of the Education Code is amended
- 2 to read:
- 3 45028. (a) (1) Effective July 1, 1970, each person employed
- 4 by a school district in a position requiring certification
- 5 qualifications, except a person employed in a position requiring
- 6 administrative or supervisory credentials, shall be classified on
- 7 the salary schedule on the basis of uniform allowance for years of
- 8 training and years of experience, except if a public school employer

1 and the exclusive representative negotiate and mutually agree to
2 a salary schedule based on criteria other than a uniform allowance
3 for years of training and years of experience pursuant to Chapter
4 10.7 (commencing with Section 3540) of the Government Code.
5 Employees shall not be placed in different classifications on the
6 schedule, nor paid different salaries, solely on the basis of the
7 respective grade levels in which such employees serve.

8 (2) ~~In no case shall the~~ The governing board of a school district
9 *shall not* draw orders for the salary of any teacher in violation of
10 this section, ~~nor shall any~~ and a superintendent *shall not* draw any
11 requisition for the salary of any teacher in violation thereof.

12 (3) This section shall not apply to teachers of special day and
13 evening classes in elementary schools, teachers of special classes
14 for elementary pupils, teachers of special day and evening high
15 school classes, and substitute teachers.

16 (b) (1) It is not a violation of the uniformity requirement of this
17 section for a school district, with the agreement of the exclusive
18 representative of certificated employees, if any, to grant any
19 employee hired after a locally specified date differential credit for
20 prior years of experience or prior units of credit for purposes of
21 initial placement on the salary schedule of the district.

22 (2) This subdivision is declaratory of existing law.

23 (c) A public school employer and the exclusive representative
24 of credentialed teachers may jointly apply to the Superintendent
25 for technical assistance and planning grant funding to facilitate
26 the planning of a salary schedule for teachers based on criteria in
27 addition to years of training and years of experience, as described
28 in subdivision (a). The Superintendent may make planning grants
29 from funds appropriated for this purpose in the annual Budget Act
30 or other legislation.

31 (d) To be eligible for grant funding pursuant to subdivision (c),
32 the public school employer and the exclusive representative of
33 credentialed teachers should consider a salary schedule designed
34 to compensate teachers for the additional responsibilities, time,
35 and effort required to serve in challenging school settings, and
36 reward teachers for professional growth tied to their particular
37 assignments.

38 (e) Public school employers and exclusive representatives of
39 credentialed teachers are encouraged to recognize teacher
40 contributions to improving pupil achievement, provide incentives

- 1 to teachers to accept teaching assignments in areas of highest need,
- 2 and recognize relevant professional experience on the salary
- 3 schedule in lieu of units and degrees or in lieu of teaching
- 4 experience.

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